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Date of Deposit: September 2, 2005

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hasegawa et al.

Appln. No.: 10/675,435

Filed: September 30, 2003

For: **MAGNETIC DETECTING ELEMENT
HAVING ANTIFERROMAGNETIC FILM
HAVING PREDETERMINED SPACE IN
TRACK WIDTH DIRECTION AND
METHOD FOR MANUFACTURING THE
SAME**

Examiner: Kevin M. Bernatz

Art Unit: 1773

Attorney Docket No: 9281/4659

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Notice of Non-Compliant Amendment (37 CFR 1.121), Response to Notice of Non-Compliant Amendment Under 37 CFR §1.121, Response and Amendment Under 37 CFR 1.111
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

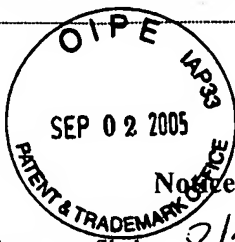
Respectfully submitted,

Anthony P. Curtis, Ph.D. (Reg. No. 46,193)

September 2, 2005
Date



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 8/2/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).**

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

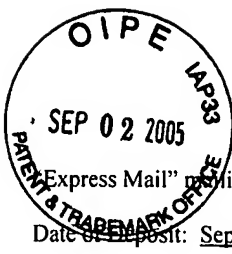
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

David Hensley
Legal Instruments Examiner (LIE)

571-272-1026
Telephone No.



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Date of Deposit: September 2, 2005

Our Case No. 9281/4659
Client Case No. N US02096

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
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Hasegawa et al.)	
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Serial No. 10/675,435)	Examiner:
)	Kevin M Bernatz
)	
Filing Date: Sept. 30, 2003)	Group Art Unit No.:
)	1773
For)	
MAGNETIC DETECTING)	
ELEMENT HAVING)	
ANTIFERROMAGNETIC FILM)	
HAVING PREDETERMINED)	
SPACE IN TRACK WIDTH)	
DIRECTION AND METHOD FOR)	
MANUFACTURING THE SAME)	

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37
C.F.R. § 1.121**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To Whom It May Concern:

In response to the Notice of Non-Compliant Amendment dated August 15, 2005, in the above-referenced Application, the Applicants respectfully replace the amendment and response filed on August 2, 2005 with the current amendment and response.

Applicant believes the current amendment and response to now be in compliance with 37 C.F.R. § 1.121. Also enclosed is a copy of the Notice of Non-Compliant Amendment dated August 15, 2005. A terminal disclaimer and the terminal disclaimer fee of \$130 were submitted with the earlier amendment and response. The terminal disclaimer is not being resubmitted. Also, an additional fee of \$2000 has already been paid for newly

added claims with the earlier amendment and response filed on August 2, 2005.

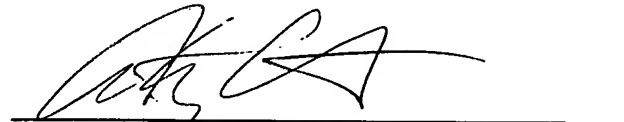
Applicants authorize payment from Deposit Account No. 23-1925 for any missing fees.

Applicants also request the refund of any fees which are consequently paid in duplicate.

Respectfully submitted,

September 2, 2005

Date

A handwritten signature in black ink, appearing to read 'Anthony P. Curtis', is written over a horizontal line.

Anthony P. Curtis, Ph.D.
Registration No. 46,193

Attorney for Applicants

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